



# HOWARD COUNTY DEPARTMENT OF PLANNING AND ZONING

3430 Courthouse Drive

Ellicott City, Maryland 21043

410-313-2350

Voice/Relay

Valdis Lazdins, Director

FAX 410-313-3467

October 24, 2016

Steve Kang  
Maryland Investment Group  
9380 Baltimore National Pike  
Ellicott City, Maryland 21042

RE: WP-16-078 Ramsburg Property

Dear Mr. Kang:

The Director of the Department of Planning and Zoning considered your request for an alternative compliance from the Howard County Subdivision and Land Development Regulations.

As of the date of this letter, the Planning Director **approved** your request for an alternative compliance of **Section 16.155(a)(1)** of the Subdivision and Land Development Regulations which states that a site development plan is required for non-residential development.

Approval is subject to the following conditions:

1. The alternative compliance plan exhibit shall serve as the substitute for a site development plan. The exhibit shall be submitted as an original Mylar and receive signature approval from the Department of Planning and Zoning prior to applying for permits. Changes shall be made to the plan exhibit per the attached comments from the Division of Land Development. The original Mylar shall be submitted within 60-days of this letter (**on or before December 23, 2016**). All improvements shown on the exhibit must be constructed per the plan exhibit.
2. Compliance with the Development Engineering Division comments dated October 12, 2016 (see attached).
3. Compliance with all applicable County and State Regulations and obtain all necessary permits from the Department of Inspections, Licenses and Permits.
4. The Department of Planning and Zoning is recognizing the existing building as non-conforming because it does not meet the building setback established by Plat Book 10, Page 94. The Department of Planning and Zoning is also recognizing the asphalt parking lot and parking spaces as non-conforming uses because they are currently within the parking use setbacks established by Section 119.0 of the Howard County Zoning Regulations. No expansion of the existing building or parking surface, or further parking space encroachment is permitted within the setbacks. Only improvements that bring the site in further compliance with the current Regulations are permitted.

Our decision was made based on the following:

#### *Extraordinary Hardship or Practical Difficulty*

The building and parking have existed since approximately 1977 with no site development plan on record with the Department of Planning and Zoning. There is no enlargement of the existing building or existing parking surface, only an adjustment of uses and restriping of parking spaces. To require the property be subject to a full site development plan review and approval would be burdensome to the owner.

*Not Detrimental to the Public Interest*

The shopping center use already exists. The tenant change will require additional parking spaces; however, the applicant is only proposing restriping of the existing parking lot. No new access, circulation or expanded impervious surface is proposed that would impact the public.

*Will not Nullify the Intent or Purpose of the Regulations*

In accordance with the Division of Land Development policy memo dated May 1, 2011 an applicant may submit an alternative compliance petition application for consideration instead of the standard site development plan when minor alterations or additions are proposed to any existing structures. This site is not proposing any additional structures or impervious area; therefore, it is exempt from stormwater management, forest conservation, and landscaping. The Traffic Group conducted two separate parking studies that confirm adequacy of parking for the proposed and existing uses. Therefore, in compliance with the policy memo and the site proposal the intent of the Regulations are not being nullified.

Indicate this alternative compliance petition file number, request, section of the regulations, action, conditions of approval, and date on all related plats, and site development plans, and building permits. This requested alternative compliance will remain valid for the time period specified in the conditions of approval, or one year from the date of this letter, or as long as this permit remains in active processing.

If you have any questions, please contact Julia Boone at (410) 313-2350 or email at [jboone@howardcountymd.gov](mailto:jboone@howardcountymd.gov).

Sincerely,



Kent Sheubrooks, Chief  
Division of Land Development

KS/jb

cc: Research  
DED  
DILP  
DPZ Zoning  
FCC

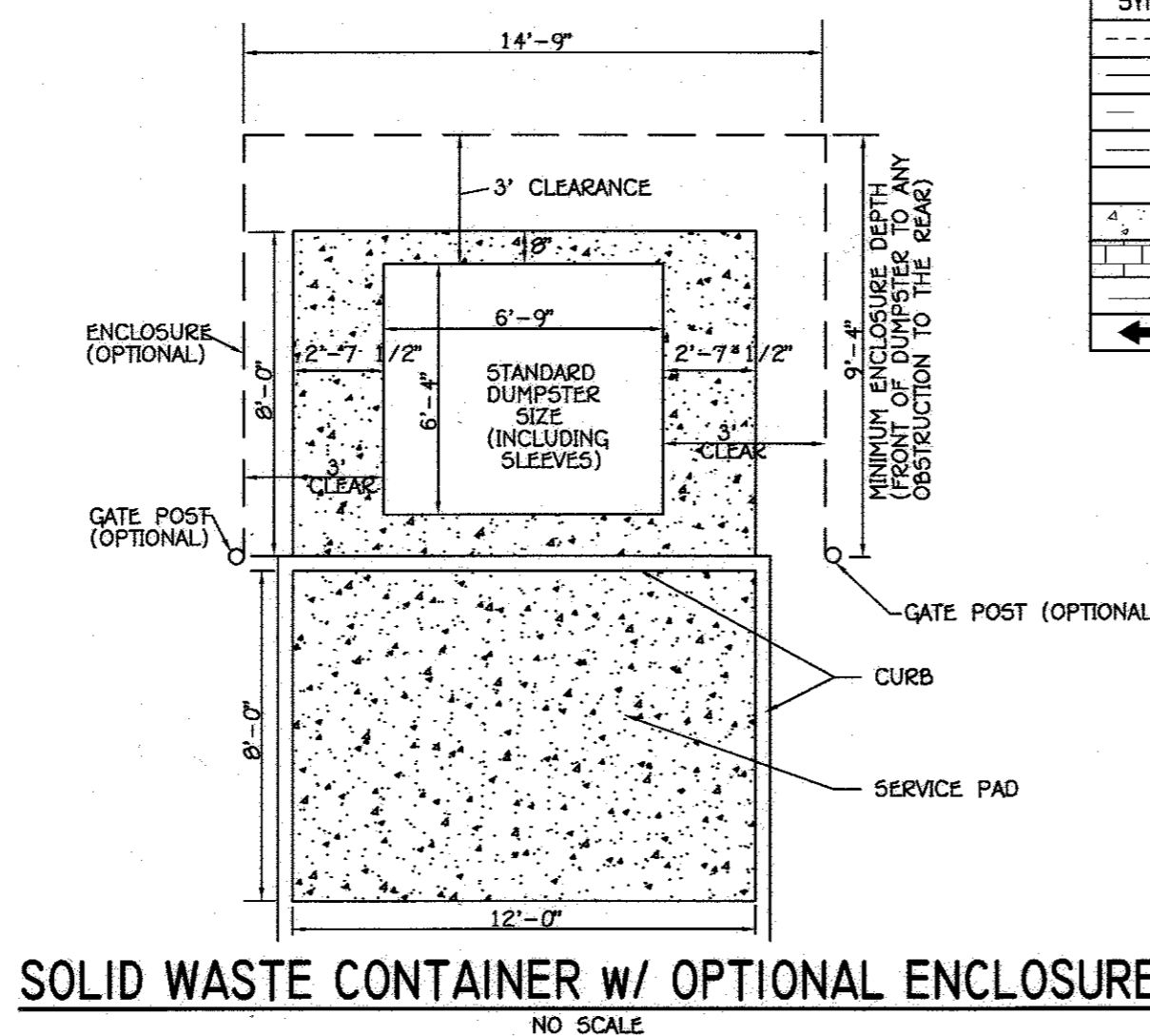
**NOTES:**

- OWNER: MARYLAND PRO INVESTMENTS, LLC  
13327 RIDGEWOOD DRIVE  
ELLSWORTH CITY, MD 21042
- DEED REFERENCE: M.D.R. 10143/991
- PROPERTY TAX ACCT NO: 242095
- TAX MAP 0024, GRID 0004, PARCEL 0996, LOT 5
- LOT 5, RAMSBURG PROPERTY, PLAT WHH 10/94
- THE PROPERTY IS ZONED B-2 PER THE 10/6/2013 COMPREHENSIVE ZONING PLAN
- SITE AREA: 77,994 SF OR 1.790 AC\*
- EXISTING USE: SHOPPING CENTER
- PROPOSED USE: SHOPPING CENTER
- BUILDING FLOOR AREA: 25,794 SF\*
- REQUIRED PARKING: (25,795SF / 1000SF X 6) = 155 SPACES\*
- PROPOSED PARKING: 133 SPACES (INCLUDING 5 HANDICAP SPACES)
- HANDICAP SPACES REQUIRED: (100-150 SPACES) = 5 SPACES
- HANDICAP SPACES PROVIDED: 5 SPACES
- TO THE BEST OF OUR KNOWLEDGE, THERE ARE NO HISTORIC STRUCTURES, CEMETERIES, OR ENVIRONMENTALLY SENSITIVE AREAS ONSITE.
- BASED ON VISUAL OBSERVATIONS, THERE ARE NO FLOODPLAINS, STREAMS, WETLANDS, OR FORESTED AREAS ONSITE.
- THIS SITE IS SERVED BY PUBLIC WATER AND SEWER SYSTEMS.
- PROPERTY OUTLINES SHOWN HEREON ARE BASED ON A BOUNDARY SURVEY PERFORMED BY POLARIS LAND CONSULTANTS, LLC IN DECEMBER, 2012. CORNERS ARE BASED ON ASSUMED DATA.
- FOR ADDITIONAL PARKING INFORMATION REFER TO PARKING STUDY PREPARED BY THE TRAFFIC GROUP, DATED FEBRUARY 27, 2015 AND SEPTEMBER 26, 2016 SUBMITTED TO HOWARD COUNTY PLANNING OFFICE.
- DELIVERIES AND LOADING WILL OCCUR AT NON-PEAK TIMES AND WILL NOT OBSTRUCT VEHICULAR INGRESS/EGRESS TO OR FROM THE SITE.
- THE PORTION OF THE BUILDING ENDOCHANGING WITHIN THE 50 FOOT FRONT SETBACK IS NON-COMPLYING PER THE RECORDED PLAT (PB10-094). NO FURTHER ENDOCHANGING IS PERMITTED UNLESS THE PLAT IS RE-RECORDED TO SHOW THE 30' STRUCTURE AND USE SETBACK. THE EXISTING PARKING LOT ENDOCHANGING WITHIN THE 10' PARKING SETBACK AND THE 30' STRUCTURE AND USE SETBACK. NO FURTHER ENDOCHANGING OF THE PAVED PARKING LOT ARE PERMITTED.
- THERE ARE NO PUBLIC WATER OR SEWER BASEMENTS ON SITE.
- THIS PROPERTY IS EXEMPT FROM FOREST CONSERVATION REQUIREMENTS BECAUSE IT IS COVERED ENTIRELY WITH IMPERVIOUS SURFACE PER THE DEPARTMENT OF ENVIRONMENTAL AND STATE HOUSE BILL NO. 702.
- ALL LANDSCAPE ISLANDS AND SIDEWALKS ARE EXISTING.
- THE LANDSCAPING HAS BEEN PROVIDED ALONG THE FRONTAGE OF ROUTE 40 AND WITHIN TWO PARKING ISLANDS.
- THE PARKING LOT HAS BEEN REGISTERED BUT NO GRADING WAS REQUIRED.
- STORMWATER MANAGEMENT IS NOT REQUIRED FOR THIS DEVELOPMENT (DISTURBED AREA < 5000SF).
- NO NEW LIGHTING IS PROPOSED FOR THIS SITE.
- TENANTS OPEN GATE OR LATEX AND GREASE RECYCLING IS EMPTIED AT OR PRIOR TO 7AM, THEREFORE CREATING NO CONFLICT WITH PARKING SHOWN IN FROM THE GREASE RECYCLING DUMPSTERS.
- DESIGN MANUAL WAVE 2 TO DESIGN MANUAL VOLUME 6, SECTION 2, APPENDIX G, PARKING STALL LAYOUT ELEMENTS TO ALLOWED A DESIGN LENGTH AND WIDTH FOR PARKING SPACES AND WIDTH OF DRIVE ISLES WAS APPROVED ON OCTOBER 12, 2016 WITH THE CONDITION THAT PARKING SPACES LOCATED IN FRONT OF DR. LEE'S OFFICE WITH A DEPTH OF 10.8 FEET ARE NOT ACCEPTABLE AND SHOULD BE REMOVED FROM THE PLAN.
- THE OWNER/MANAGEMENT OF THIS PROPERTY/BUILDING SHALL MONITOR THE PARKING SPACES FOR THIS PROJECT AND RESOLVE ANY PARKING INADEQUACIES SHOULD THEY ARISE.
- WP-16-078 WAS APPROVED ON OCTOBER 24, 2016 GRANTING ALTERNATIVE COMPLIANCE OF SECTION 16.155(A)(1) OF THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS WHICH STATES THAT A SITE DEVELOPMENT PLAN IS REQUIRED FOR NON-RESIDENTIAL DEVELOPMENT. APPROVAL IS SUBJECT TO THE FOLLOWING CONDITIONS:
  - THE ALTERNATIVE COMPLIANCE PLAN EXHIBIT SHALL SERVE AS THE SUBSTITUTE FOR A SITE DEVELOPMENT PLAN. THE EXHIBIT SHALL BE SUBMITTED AS AN ORIGINAL MYLAR AND RECEIVE SIGNATURE APPROVAL FROM THE DEPARTMENT OF PLANNING AND ZONING PRIOR TO APPLYING FOR PERMITS. CHANGES SHALL BE MADE TO THE PLAN EXHIBIT PER THE ATTACHED COMMENTS FROM THE DIVISION OF LAND DEVELOPMENT. THE ORIGINAL MYLAR SHALL BE SUBMITTED WITHIN 60-DAYS OF THE LETTER (ON OR BEFORE DECEMBER 23, 016). ALL IMPROVEMENTS SHOWN ON THE EXHIBIT MUST BE CONSTRUCTED PER THE PLAN EXHIBIT.
  - COMPLIANCE WITH THE DEVELOPMENT ENGINEERING DIVISION COMMENTS DATED OCTOBER 12, 2016 (SEE ATTACHED).
  - COMPLIANCE WITH ALL APPLICABLE COUNTY AND STATE REGULATIONS AND OBTAIN ALL NECESSARY PERMITS FROM THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.
  - THE DEPARTMENT OF PLANNING AND ZONING IS RECOGNIZING THE EXISTING BUILDING AS NON-COMPLYING BECAUSE IT DOES NOT MEET THE BUILDING SETBACK ESTABLISHED BY PLAT BOOK 10, PAGE 94. THE DEPARTMENT OF PLANNING AND ZONING IS ALSO RECOGNIZING THE ASPHALT PARKING LOT AND PARKING SPACES AS NON-COMPLYING USES BECAUSE THEY ARE CURRENTLY WITHIN THE PARKING USE SETBACKS ESTABLISHED BY SECTION 119.0 OF THE HOWARD COUNTY ZONING REGULATIONS. NO EXPANSION OF THE EXISTING BUILDING OR PARKING SURFACE, OR FURTHER PARKING SPACE ENDOCHANGING IS PERMITTED WITHIN THE SETBACKS. ONLY IMPROVEMENTS THAT BRING THE SITE IN FURTHER COMPLIANCE WITH THE CURRENT REGULATIONS ARE PERMITTED.

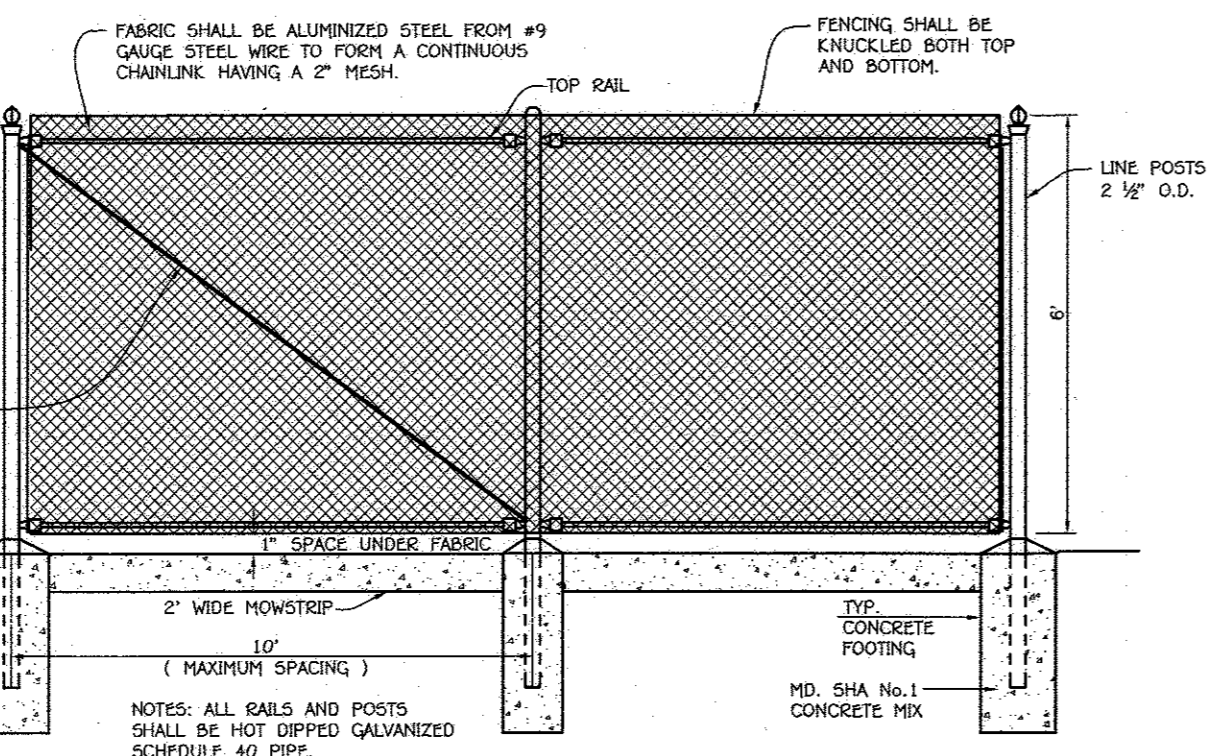
**\*SHARED PARKING INFORMATION**

THERE IS A HEALTHY DIVERSITY OF BUSINESS TYPES AT THE SHOPPING CENTER AND THERE ARE AT LEAST SIX DISTINCT RETAIL USES. ALTHOUGH THE SHOPPING CENTER IS SOMEWHAT FAVORED TOWARDS RESTAURANTS, BECAUSE THE PEAK TIMES OF EACH OF THE RESTAURANTS AND OTHER BUSINESSES DO NOT COINCIDE IN A MANNER THAT WILL CAUSE ANY SORT OF "PEAK-TIME RUSH," THERE WILL BE NO SHORTAGE IN PARKING SPACES, AS CONFIRMED BY THE FINDINGS OF THE STUDY. MORE SPECIFICALLY:

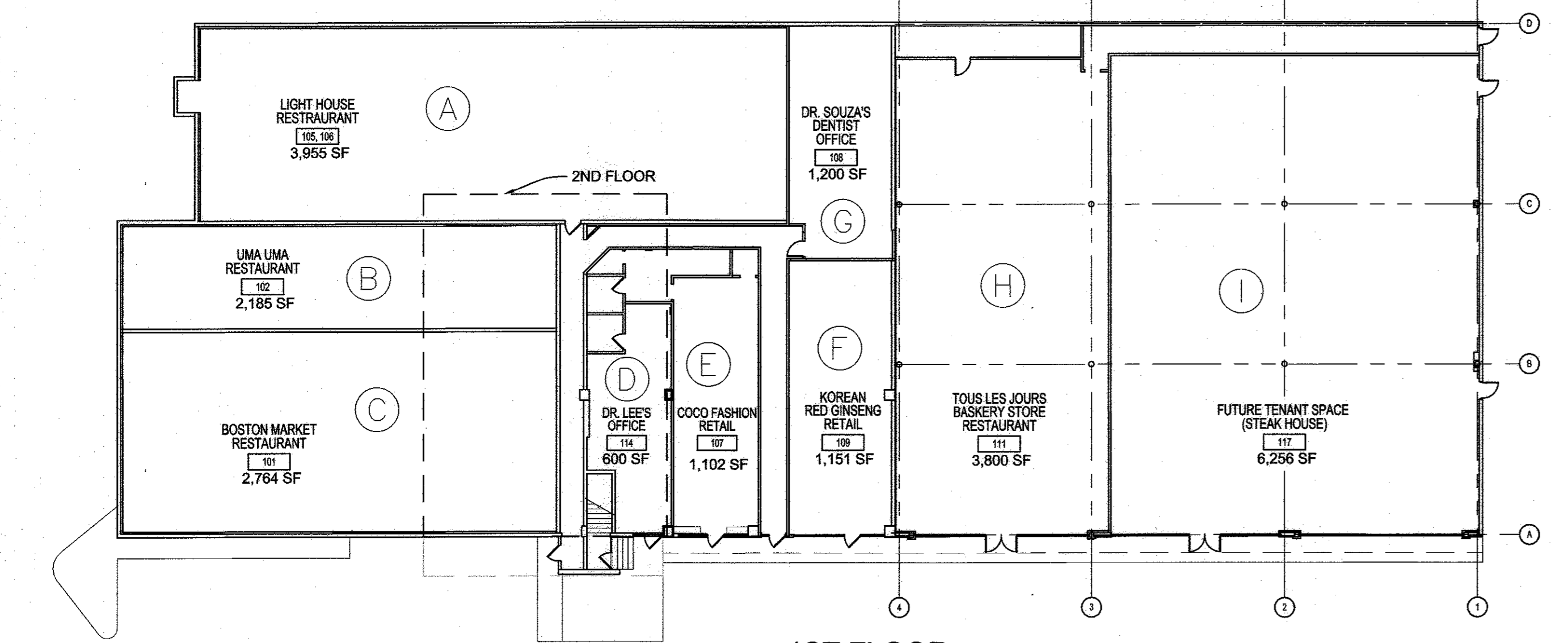
- THE KOREA DAILY NEWSPAPER AND SUN TRAVEL AGENCY ARE WORKING OFFICES AND THE ONLY PARKING SPACES USE WILL BE BY THE TWO TO THREE EMPLOYEES WHO WORK AT EACH OFFICE ON A DAY-TO-DAY BASIS. THEIR BUSINESS HOURS ARE FROM 9:00AM TO 5:00PM.
- BOTH THE DENTIST'S OFFICE AND THE DOCTOR'S OFFICE ARE SATELLITE OFFICES WITH NO SET BUSINESS HOURS AND PATIENT VISITS ARE BY APPOINTMENT ONLY. THESE OFFICES WILL NOT USE ANY PARKING SPACES OTHER THAN DURING THE FEW HOURS OUT OF THE WEEK WHEN THERE ARE PATIENT APPOINTMENTS, DURING WHICH TIME EACH OFFICE MAY USE TWO TO THREE PARKING SPACES.
- COCO CLOTHING AND RED GINSENG HERBAL GIFTS ARE SMALL NOVELTY RETAIL BUSINESSES THAT MAY HAVE 10 TO 20 CUSTOMERS EACH DURING ANY GIVEN DAY. THEIR BUSINESS HOURS ARE FROM 10:00AM TO 6:00PM.
- LIGHTHOUSE TOFU RESTAURANT AND BOSTON MARKET BOTH CATER PRIMARILY TO THE LUNCH CROWD. THUS, THEIR PEAK TIMES ARE FROM 1:00PM TO 3:00PM. THEY BOTH HAVE MINIMAL CUSTOMER TRAFFIC DURING DINNER HOURS.
- TOUS LES JOURS KOREAN BAKERY & CAFÉ IS A COFFEE AND DESSERT DESTINATION WHERE CUSTOMERS MAY VISIT AFTER LEAVING RESTAURANTS. ITS PEAK TIME IS DURING LUNCH HOURS, AND IT MAY HAVE A STEADY STREAM OF CUSTOMERS DURING THE AFTERNOON. HOWEVER, IT HAS VERY LITTLE CUSTOMER TRAFFIC DURING DINNER HOURS.
- THE TWO NEW RESTAURANTS THAT WILL OCCUPY THE CURRENTLY-VACANT 8,000 SQUARE FEET OF SPACE WILL BE THE ONLY BUSINESSES THAT WILL PRIMARILY CATER TO THE DINNER CROWD. BOTH RESTAURANTS WILL HAVE MINIMAL CUSTOMER TRAFFIC DURING LUNCH AND AFTERNOON HOURS (UNITS B AND I).



**SOLID WASTE CONTAINER W/ OPTIONAL ENCLOSURE**  
NO SCALE



**CHAIN LINK FENCE DETAIL**  
HOWARD COUNTY STANDARD DETAIL G-7.21  
NO SCALE



**1ST FLOOR PROPOSED FLOOR PLAN & ELEVATIONS**  
NOT TO SCALE

APPROVED DEPARTMENT OF PLANNING AND ZONING  
 DATE: 11-17-16  
 DATE: 11-16-16  
 DATE: 11-14-16

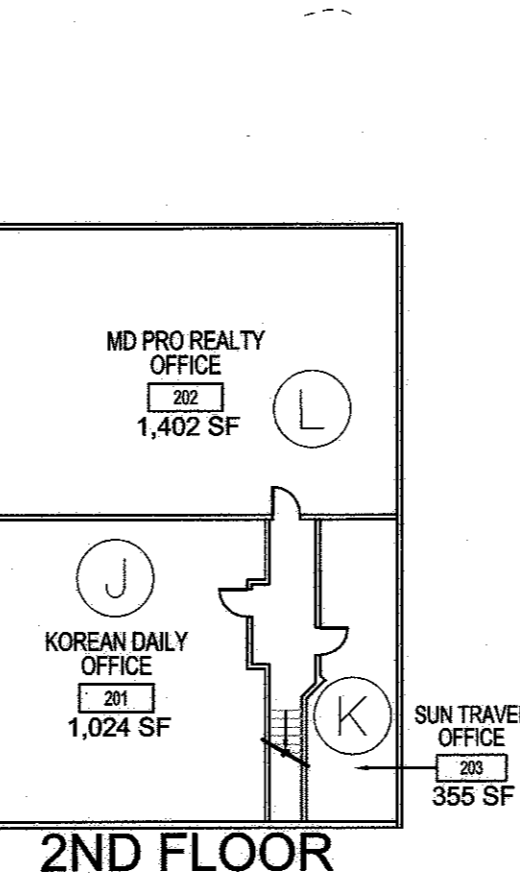
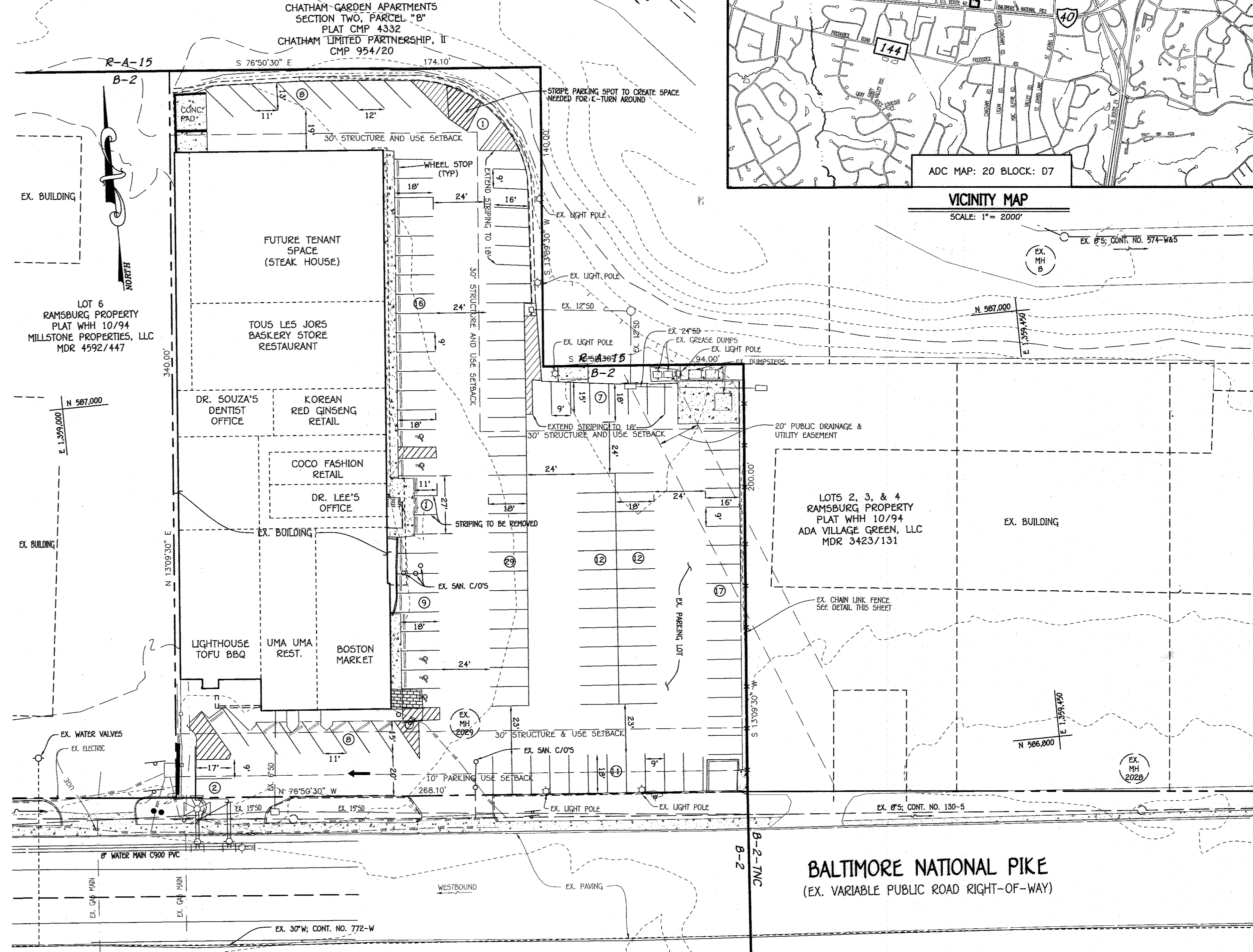
**FISHER, COLLINS & CARTER, INC.**  
 CIVIL ENGINEERING CONSULTANTS & LAND SURVEYORS  
 CENTRAL SQUARE OFFICE PARK - 10272 BALTIMORE NATIONAL PIKE  
 ELLSWORTH CITY, MARYLAND 21042  
 (410) 481-2295

**OWNER**  
 MARYLAND PRO INVESTMENTS, LLC  
 13327 RIDGEWOOD DRIVE  
 ELLSWORTH CITY, MD 21042  
 ACCOUNT NO: 242095  
 410-977-7823

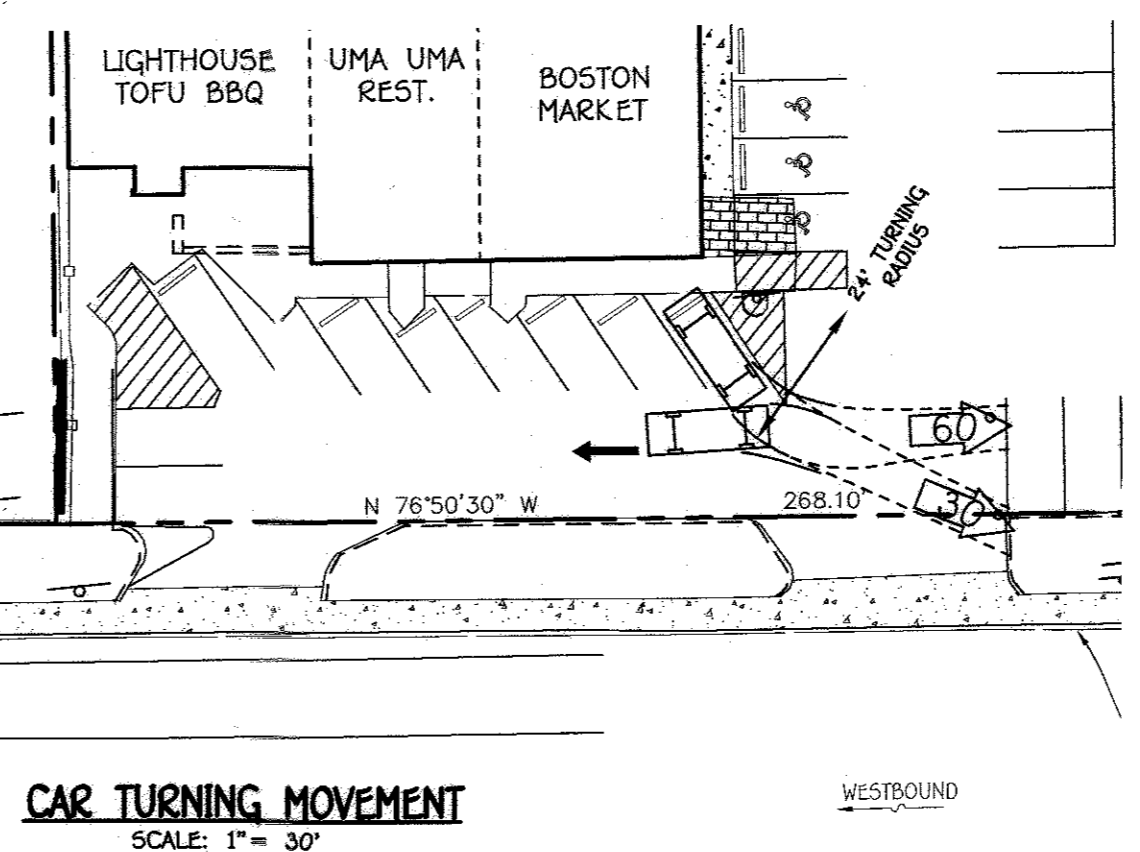
**LEGEND**

SYMBOL	DESCRIPTION
---	EXISTING CONTOUR 2' INTERVAL
---	EXISTING CONTOUR 10' INTERVAL
---	EXISTING GAS
---	EXISTING UNDERGROUND ELECTRIC
---	EXISTING LIGHT POLES
---	EXISTING CONCRETE
---	EXISTING BRICK
---	EXISTING FENCE
---	PROPOSED ONE WAY ARROW STRIPING

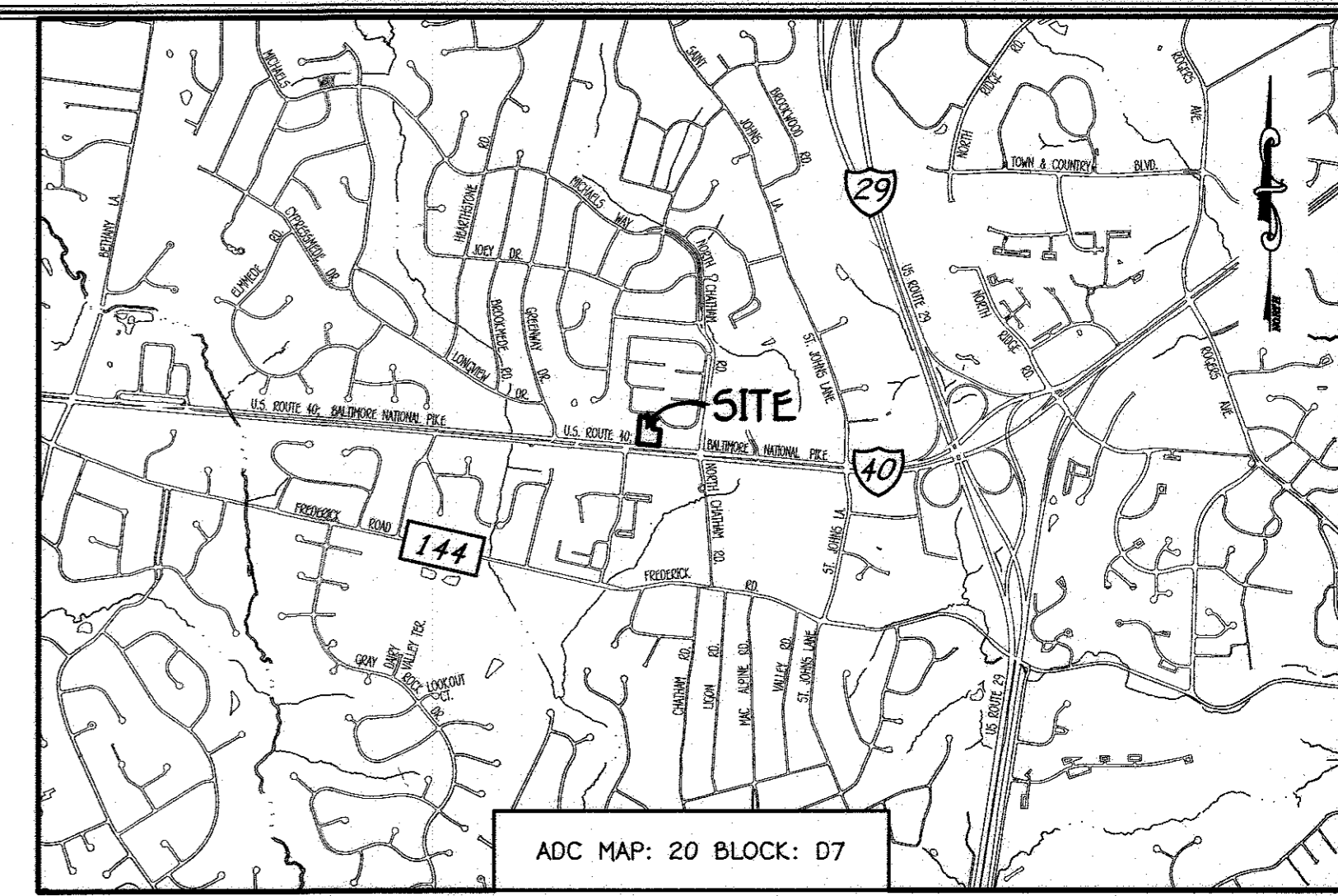
**SITE LAYOUT**  
SCALE: 1" = 30'



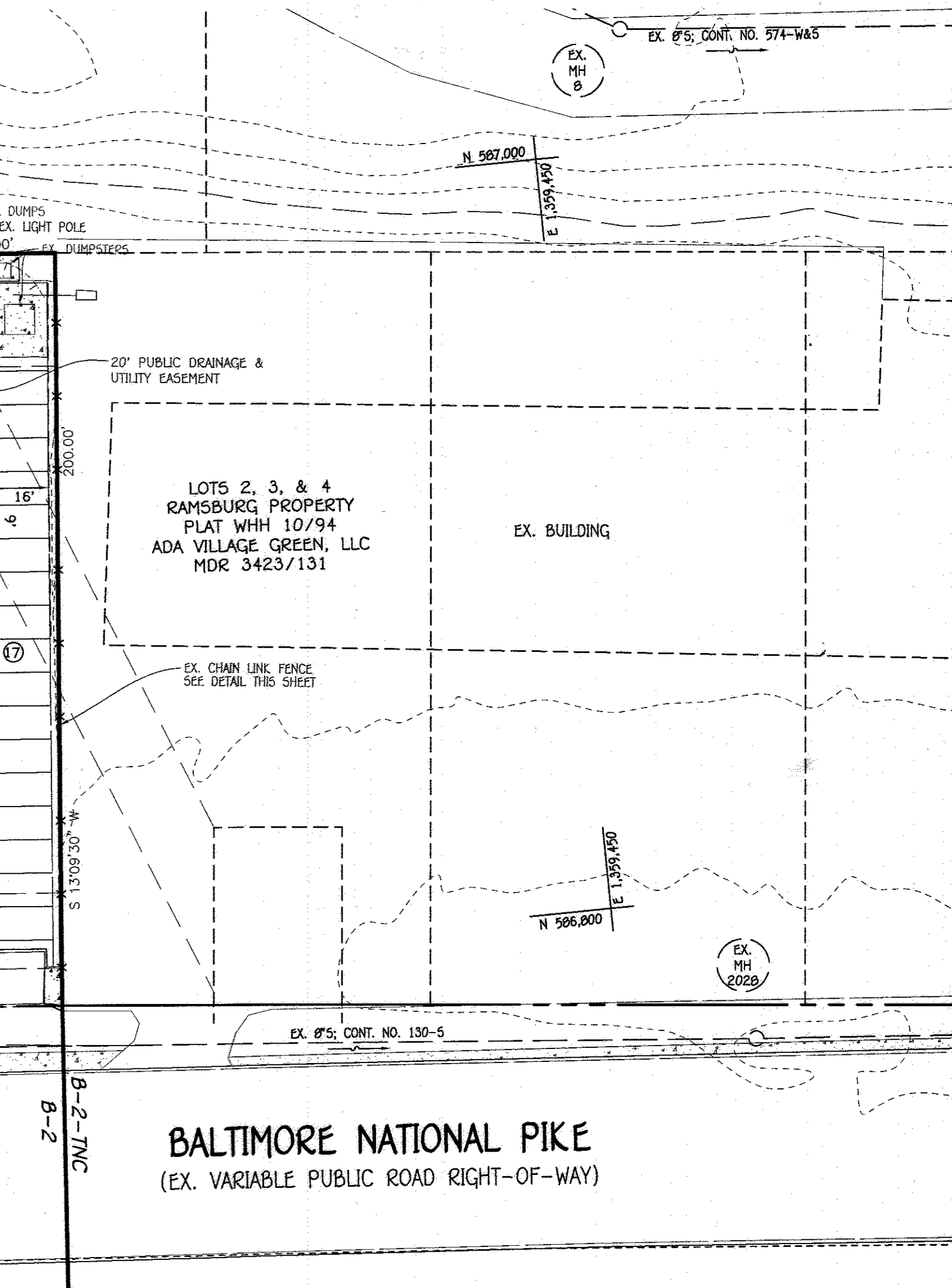
**2ND FLOOR**



**CAR TURNING MOVEMENT**  
SCALE: 1" = 30'



**VICINITY MAP**  
SCALE: 1" = 2000'



**PLAN TO ACCOMPANY  
 WAIVER PETITION APPLICATION  
 (WP-16-078)**

**RAMSBURG PROPERTY  
 LOT 5  
 SHOPPING CENTER**  
 9380 BALTIMORE NATIONAL PIKE  
 ZONED B-2 TAX MAP NO: 0024 GRID NO: 0004 PARCEL NO: 0996  
 SECOND ELECTION DISTRICT HOWARD COUNTY, MARYLAND  
 SCALE: AS SHOWN DATE: NOVEMBER, 2016  
 SHEET 1 OF 1